

BOARD OF DIRECTORS – ACTION SUMMARY
Thursday, May 10, 2007 – 6:00 p.m.

Administration Building – Board Chambers
2101 Hurley Way, Sacramento, CA 95825

CALL TO ORDER

The meeting was called to order by Acting President Trujillo. Board Members present: Clark, Goold, Granados, Jones, Lawson, Trujillo, Valley. Directors Kelly, Engellenner, absent. Staff: Fire Chief Mette, General Counsel Margarita, Board Clerk Tilson.

PLEDGE TO FLAG led by the Girl Scouts of Tierra Del Oro.

METRO CABLE 14 ANNOUNCEMENT

The open session Meeting is videotaped for cablecast on Metro Cable 14. Replay on Saturday, May 12 at 1:00 p.m. and Monday, May 14 at 6:00 p.m. on Channel 14; Webcast at www.sacmetro cable.tv. A VHS copy is also available for checkout from any library branch.

**PUBLIC OPPORTUNITY TO DISCUSS MATTERS OF PUBLIC INTEREST WITHIN
DISTRICT JURISDICTION INCLUDING ITEMS ON OR NOT ON THE AGENDA**

None.

CONSENT AGENDA:

1. **Board Meeting Action Summary—April 14, 2007 Special**
 2. **Board Meeting Action Summary—April 26, 2007**
- Director Jones requested a correction to her Board Comment of April 26 relative to the Twelfth International Conference of Women in the Fire Service with a deletion of “annual” and the theme to read, Honor the Past and Inspire the Future.
 - **Board Action:**
Lawson/Valley—approve the consent Agenda. Directors Clark, Goold, Granados, Jones, Lawson, Trujillo, Valley, AYE. Directors Engellenner, Kelly, absent. Motion carried.

ACTION ITEM(S):**1. Appeal of Fire Prevention Bureau Decision-Glenda and Don Yokoyama—
(Associate General Counsel Chavez)**

- The appellants, Glenda and Don Yokoyama, were not present and were notified two weeks ago that further presentations could be made tonight.
- Assistant General Counsel Chavez distributed a two-page opinion memo to the Board with a recommendation to deny the appeal based on statutory authority.
- Director Jones stated her offer to meet with the applicants and the water district regarding any modifications is still on the table.
- Director Lawson met with a water board director. Any change to the regulation would require going through the legislative process.
- **Board Action:**
Valley/Goold—deny the appeal. Directors Clark, Goold, Granados, Jones, Lawson, Trujillo, Valley, AYE. Directors Engellenner, Kelly, absent. Motion carried.
- Director Granados met yesterday with some Fire Prevention Bureau personnel. Steve Hart, a Monterey Fire Marshal, informed him that they have a process where an attachment is made to the building permits and shared within the confines of the water district to do adjustments to fire protection mains and underground water systems. He will give the paperwork to Fire Chief Mette and Fire Marshal Eastman to explore and maybe get with the water districts to look at this as a possible solution to prevent other appeals.
- Counsel Chavez stated that the appellant would be notified by certified mail that the claim was denied with a follow-up telephone call by either the Legal or Fire Prevention Division.

2. Amendment to Resolutions Affecting Non-Safety and Safety Senior Management, Management and Unrepresented Confidential Employees—(Mette)

- Attorney Michael Dean presented this issue at the April 12, 2007 Board meeting in line with the direction by the Policy Committee.
- Both existing Resolutions for Non-Safety and Safety Senior Management, Management and Unrepresented Confidential Employees were amended as follows:
 - Senior Management and Management employees (safety or non-safety) continue to be at-will employees with appeal rights restricted to a “liberty interest” hearing only without entitlement to reinstatement.
 - “Bump back” and “Y-rate” provisions are deleted, with the right of reassignment of at-will employees by the Fire Chief.
 - Confidential employees are no longer at-will and have a full right of appeal in the same manner as bargaining unit employees represented by Local 522.
- In response to Director Goold, Counsel Margarita provided clarification of the appeal procedure for Confidential employees.

2A. Resolution No. 41-07—Providing for an Amendment to Resolution No. 07-07 Affecting Non-Safety Senior Management, Management and Unrepresented Confidential Employees—(Mette)

- The Resolution was recommended for adoption in accordance with action taken by the Board on April 12, 2007.
- Director Lawson stated the Policy Committee moved this item to the full Board.
- **Board Action:**
Granados/Jones—adopt the Resolution. Directors Clark, Goold, Granados, Jones, Lawson, Trujillo, Valley, AYE. Directors Engellenner, Kelly, absent. Motion carried.

2B. Resolution No. 42-07—Providing for an Amendment to Resolution No. 08-07 Affecting Safety Senior Management, Management and Unrepresented Confidential Employees—(Mette)

- The Resolution was recommended for adoption in accordance with action taken by the Board on April 12, 2007.
- Director Lawson stated the Policy Committee moved this item to the full Board.
- **Board Action:**
Jones/Granados—adopt the Resolution. Directors Clark, Goold, Granados, Jones, Lawson, Trujillo, Valley, AYE. Directors Engellenner, Kelly, absent. Motion carried.

3. Resolution No. 43-07—Authorize the Purchase of Property at Zinfandel Drive APN# 072-2860-003 and Designation of Fire Chief To Sign Legal Documents on Behalf of the District—(Sponable)

- Staff recommended adoption of the Resolution authorizing the purchase of the 53-acre site off Zinfandel Drive for a training facility in the amount of \$7,867,284 plus some minor escrow closing costs.
- **Board Action:**
Goold/Lawson—adopt the Resolution. Directors Clark, Goold, Granados, Jones, Lawson, Trujillo, Valley, AYE. Directors Engellenner, Kelly, absent. Motion carried.

PRESENTATION ITEM(S)

PRESIDENT'S REPORT—(Kelly)

None

FIRE CHIEF'S REPORT—(Mette)

- Fire incident report – six significant working structure fires since the last meeting.
- April 28 – fatality fire in Orangevale with no smoke detector present.
- April 28 – sponsored a drowning prevention workshop in North Highlands.
- May 3 – arson attack against Isabelle Jackson Elementary School. Arson Division is working on apprehending those responsible.
- May 5 – first drowning in the American River with no life jacket. Gearing up the media campaign to prevent drownings.
- May 14 – joint declaration of the opening of fire season with Cal Fire (formerly CDF).
- May 24 – at the next Board meeting, District will recognize the grandmother who jumped from the second story apartment fire. Her grandson will also be present. This should be a significant media event.
- Fire Captains test was completed. List should be out tomorrow. Thanked Human Resources and the Operations Division for their hard work on the process.
- Received a letter distributed to the Board from the Rancho Cordova Community Redevelopment Agency addressing the concern regarding the two addresses of future District projects.
- Returned yesterday from the Metro Fire Chiefs conference in Los Angeles.
- Acting President Trujillo emphasized the importance of safety precautions. Referring to the two deaths in Orangevale, smoke detectors are provided at the District fire stations for those unable to afford it. The District also has life jackets available for checkout when boating or swimming.

GENERAL COUNSEL'S REPORT—(Margarita)

- In response to Director Lawson's request, he contacted the Chief of Staff for Senator Cox who was satisfied with the comments and facts provided.

COMMITTEE AND DELEGATE REPORTS:**Executive Committee—(Kelly)**

- TBD

Communications Center Delegate—(Valley)

- Personnel Committee Meeting: May 15, 2007 – 10:00 AM
- Next Meeting: May 29, 2007 – 10:30 AM

California Fire & Rescue Training Authority—(Goold)

- Next meeting: May 11, 2007 – 4:00 PM

Finance Committee—(Granados)

- Tentative Financial Workshop discussed today.
- Next meeting: June 14, 2007 – 5:00 p.m.

Policy Committee—(Lawson)

- In response to Director Lawson, Counsel Chavez stated they were prepared to move forward on the cost-recovery policy.
- Inquiry to Counsel – expressed issue of concern on apparel with the Metro and Local 522 insignias – would like to develop a policy on use of more American made products if possible.
- Next meeting: May 24, 2007 – 5:00 p.m.

BOARD MEMBER QUESTIONS AND COMMENTS:**Clark:**

- Being a Director is a learning process every day. He enjoys being on the Board and serving his constituents.

Lawson:

- Thanked Counsel Margarita for the follow-up with Senator Cox's office. Director Trujillo and he wanted to share with the public that this Board acts with common sense and not hype. He is waiting for the Sacramento Bee Editorial Board to report on the positive things done collectively as active Board members.
- Thanked the members of Metro Fire for all the hard work they do in the community assisting in times of emergency needs.

Margarita:

- He stated when he spoke with Senator Cox's Chief of Staff, he advised him that he was available to make a presentation if desired.

Granados:

- He attended the Legislative Days at the Capitol and shared the same information with Assemblyman Niello that was shared with Senator Cox.
- Tom Horton and Jeff Lynch are working on a Public Service Announcement, along with some activities with the City of Citrus Heights and others to get a bill passed requiring residential care homes to be sprinklered in light of a number of deaths. Thanked Fire Marshal Eastman's staff and Jeff Lynch for an outstanding job. This is an important issue that Metro supports.
- He had an item for Fire Chief Mette from Steve Hart, Fire Marshal of Monterey, regarding water funding for underground mains and water systems. With 26 water purveyors and a lot of non-standard and inadequate water systems, if we can get everyone to the table and work together to get fire protection into the communities, that would be a great thing.
- Thanked Station 63 and Medic 32 for their response to a medical aid incident at his facility.

Valley:

- In light of news articles on flooding in Missouri, FEMA appears to be working better. This could happen here but because of the planning, we will be prepared. Commended the personnel and Fire Chief Mette for working hard to get things such as a training center and the right equipment to be prepared for any type of disaster we might have in our area.

Trujillo:

- Thanked the Girl Scouts Color Guard.
- Thanked the staff for their excellent reports.
- Thanked Charlotte for her help while chairing the last three meetings.
- Thanked the men and women of the Sacramento Metro Fire Service who risk their lives every day to protect our constituents. Expressed the appreciation of the Board. In light of negative publicity, be assured that you and your families are safe with Sacramento Metro Fire.
- He started something at the last meeting in hopes it will continue. After all the negative publicity, he wanted to hear the positive things the fire service and Local 522 are doing in the community. He called upon Vice President, Pat Monahan.

Pat Monahan:

- A lot of people are leaving this department with a great loss of experience. Completed an extensive testing process for the Captains exam with the list coming out tomorrow. The results of the test prove that we have some very competent people.

ADD ITEM TO CLOSED SESSION

[Taken out of Order after Action Items]

General Counsel Margarita stated an issue came to the attention of the District late this afternoon regarding threatened litigation and requested Potential Litigation be added to the Closed Session.

- **Board Action:**
Jones/Granados—add the item to the Closed Session. Directors Clark, Goold, Granados, Jones, Lawson, Trujillo, Valley, AYE. Directors Engellenner, Kelly, absent. Motion carried.

RECESS TO CLOSED SESSION 6:25 PM

[Director Jones Departed at 6:43 p.m.]

RECONVENE TO OPEN SESSION 6:45 PM**CLOSED SESSION GOVERNMENT CODES:**

Report by General Counsel Margarita:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to California Government Code section 54956.8

Property:	10599 Folsom Blvd., Rancho Cordova, Sacramento County, CA
	APN 057-0231-016
Agency Negotiator:	Don Mette, Fire Chief
Negotiating Parties:	Sacramento Metropolitan Fire District and Property Owner Ghilarducci Trust
Under Negotiation:	Price and terms/conditions of purchase

No action.

2. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION

Pursuant to California Government Code Section 54956.9(b)(1)

No action.

ADJOURNMENT – Meeting was adjourned at 7:05 p.m.

Matt Kelly, President

Thomas J. Lawson, Secretary

Charlotte Tilson, Clerk of the Board